

REMARKS/ARGUMENTS

Reconsideration and allowance are respectfully requested in view of the amendments and remarks made herein. Claims 2-6, 12, and 14-17 are now pending. By this Amendment, claims 1, 9-11 and 13 are canceled, claims 2-6 are amended, and new claims 14-17 are added. Claim 12 remains un-amended. No new matter is added.

Of the currently pending claims, claims 2-8 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,294,999 to Yarin, et al. (“Yarin”) in view of U.S. Patent Application Publication No. 2003/0033032 A1 to Lind, et al. (“Lind”). Applicant respectfully traverses all rejections of the currently pending claims.

Independent Claim 12

Independent claim 12 recites “a memory adapted to store data received from the or each data acquisition and transfer device as individual logs of detected events.” Claim 12 thus recites storing data as *individual logs* of detector events. Since the claim term “logs” is plural, claim 12 requires that more than a single log be maintained. Yarin fails to teach or suggest storing *plural* individual logs of detector events, as required by claim 12.

The Office Action relies on Yarin at col. 5, lines 22-33 to disclose this feature (see rejection of claim 11). However, this excerpt from Yarin merely discloses that the device can “record whether or not the medication was taken.” Yarin, col. 5, lines 32-33. The remainder of this excerpt from Yarin says nothing about storing data.

The Office Action also refers to Yarin at col. 1, lines 53-56 and col. 8, lines 49-58 (Office Action, p. 7). The col. 1 excerpt discusses an alarm feature and is thus irrelevant to maintaining individual logs of detected events, as claimed. The col. 8 excerpt discloses recording an event, but otherwise does not teach or suggest maintaining individual logs of detected events, as claimed.

Since Lind cannot be properly combined with Yarin to overcome this deficiency of Yarin, it is submitted that claim 12 is allowable over Yarin and Lind, either alone or in combination as proposed.

In addition, claim 12 further recites that a data receiver station includes “a storage area storing data representing polling times at which the transmitter of the receiver station transmits polling signals to the data acquisition and transfer device or selected data acquisition and transfer devices at intervals determined by clock means which are normally in synchronism with the clock in the or each data acquisition and transfer device so that the receiver station is adapted to send the polling signals when the or each target data acquisition and sensor device is switched on.”

Although the rejection is rather unclear, it appears that the Office Action concedes that Yarin fails to teach or suggest the above-cited feature, and instead asserts Lind for this feature. Lind discloses “waking up” a sensor in response to a ping received by the communication layer. However, Lind fails to teach or suggest clock means in a data receiver station *that is normally in synchronism with* a clock in a data acquisition and transfer device, as claimed. Nor does Yarin make up for this deficiency of Lind.

Moreover, the Office Action does not even attempt to propose a motivation for modifying Yarin with Lind. Instead, the Office Action states that “it would have been obvious ... to modify a data receiver station for use with at least one data acquisition and transfer device of Yarin ... because Yarin et al., discloses a data receiver station...” Office Action, pp. 8-9. Although the lengthy details of what Yarin and Lind allegedly disclose are omitted from the above quote, nowhere does the rejection propose a motivation to modify Yarin. The allegation that Yarin discloses a particular receiver station does not constitute a motivation, nor does the implication that a reference should be modified simply because it allegedly *can* be modified. *See* MPEP 2143.01, which states that “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” (underlining in original).

For these further reasons, it is submitted that claim 12 is allowable.

Independent Claim 14

New independent claim 14 is also submitted as being allowable over the art of record. For instance, none of the art of record, taken either alone or in any combination, teaches or suggests a receptacle having a lid, a sensor configured to sense removal of the lid from the receptacle, a clock configured to generate an intermittent signal, and a transmitter coupled to the clock and the sensor and configured to transmit, responsive to receiving the intermittent signal from the clock, data over a mobile phone network indicating removal of the lid as sensed by the sensor.

Independent Claim 16

New independent claim 16 is also submitted as being allowable over the art of record. For instance, none of the art of record, taken either alone or in any combination, teaches or suggests a transmitter configured to send a first polling signal over a mobile phone network to a data acquisition and transfer device requesting data associated with a change detected by a first sensor, and a second polling signal over the mobile phone network to the data acquisition and transfer device requesting data associated with a change detected by a second sensor, a receiver configured to receive the data associated with the first and second sensors over the mobile phone network, and a controller configured to determine a time for sending the second polling signal depending upon a content of the first data and to control the transmitter to send the second polling signal at the determined time.

Dependent Claims

The dependent claims are also allowable by virtue of depending from allowable independent claims, and further in view of the additional features recited therein.

Conclusion

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and solicit prompt notification of the same. If the Examiner has any questions, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,
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Dated: May 30, 2006

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